Selection of Consultant for a Technical Assistance

In the Project

Implementation of the energy statistics *acquis*

Vienna, May 28, 2013
# Table of Contents

SECTION 1. CALL FOR TENDERS .......................................................................................................................... 1

SECTION 2. SERVICE SPECIFICATION ................................................................................................................. 2

  BACKGROUND .................................................................................................................................................. 2

  OBJECTIVES .................................................................................................................................................... 4

  Beneficiaries .................................................................................................................................................. 4

  SCOPE OF WORK ............................................................................................................................................. 4

    General approach ....................................................................................................................................... 5

    Tasks and Expected Results ....................................................................................................................... 6

REQURED INPUT ........................................................................................................................................... 10

  Expected input from ECS .......................................................................................................................... 10

  Expected input from the Beneficiaries ....................................................................................................... 10

  Deliverables ................................................................................................................................................ 11

TIME SCHEDULE .......................................................................................................................................... 12

  TA Provider’s staff and qualification ........................................................................................................ 12

SECTION 3. INSTRUCTIONS TO BIDDERS ...................................................................................................... 14

  3.1 CONTRACTING AUTHORITY .................................................................................................................. 14

  3.2 CONTACT DETAILS ................................................................................................................................ 14

  3.3 APPLICABLE LAW .................................................................................................................................... 14

  3.4 AWARD PROCEDURE ............................................................................................................................ 15

  3.5 BIDDERS AND BIDDING CONSORTIA ................................................................................................ 15

  3.6 BINDING DECLARATIONS BY BIDDERS .............................................................................................. 16

  3.7 CONTENT AND FORMAT OF TENDERS ................................................................................................ 16

  3.9 CONTRACT AWARD CRITERIA .............................................................................................................. 18

    a. Procedure .............................................................................................................................................. 19

    b. Evaluation of technical proposals ....................................................................................................... 19

    c. Evaluation of financial proposals ...................................................................................................... 20

    d. Weighing ............................................................................................................................................. 20

  3.10 CONFIDENTIALITY DURING THE PROCUREMENT PROCEDURE ...................................................... 21
Section 1. Call for Tenders

1. The Energy Community Secretariat (hereinafter referred to as: ECS) intends to outsource the services of qualified consultants in order to assist in improving the completeness and the quality of the energy statistics in the Energy Community.

2. A Provider of Technical Assistance (hereinafter referred to as: TA Provider) will be selected in an Open Procedure as described in the Section 3 of these Tender Documents.

4. The tender documents include the following parts:
   - Section 1 – Call for Tenders
   - Section 2 – Service Specifications
   - Section 3 - Instructions to Bidders
   - Section 4 - Technical Proposal Form
   - Section 5 - Financial Proposal Form

5. All eligible bidders are invited to submit their proposal by mail, by courier or by delivery in person not later than July 10, 2013 before 18:00 hrs CET to the following address: Energy Community Secretariat, Am Hof 4, 5th floor, A-1010 Vienna.

Janez Kopač, Director
Section 2.  Service Specification

Background

The Treaty establishing the Energy Community¹ (“the Treaty”) was signed in 2005 and entered into force on 1 July 2006. Encompassing the European Union (EU) on one side and nowadays nine Contracting Parties (CPs) namely Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia, Ukraine and UNMIK² for Kosovo*) on the other side, the Treaty essentially aims at extending the EU acquis communautaire on energy to the Contracting Parties. By signing the Treaty, the Contracting Parties committed themselves to implementing certain pieces of EU legislation into their domestic legal orders. Moreover, the Treaty establishes a set of institutions and procedures to further develop and adapt the acquis applicable in the Energy Community (the Ministerial Council and the Permanent High Level Group) and to monitor, assist and enforce its implementation (Energy Community Secretariat)³.


In the Conclusions of the 26th meeting of the Permanent High Level Group, under item 11, with respect to the proposed extension of the acquis to the rules relating to energy statistics, the Secretariat is invited to coordinate the work with the Contracting Parties on their revised action plans with a view to a common approach to technical assistance⁵. Each Contracting Party was invited to appoint a National Coordinator for implementation of the acquis on energy statistics (hereinafter referred to as: NC) to coordinate internal efforts and communication with the Secretariat.

The Energy Community Secretariat (hereinafter referred to as ECS) and CPs had already performed certain amount of work including assessment of the level of their energy statistics. At first all Contracting Parties provided a form of Questionnaire to ECS describing their position in the area of energy statistics. In cooperation with IEA and EUROSTAT and based on the supplied Questionnaires, ECS prepared the Stocktaking report⁶ which presented the level of available energy statistics in CPs as of October 2009. Each CP developed its own action plan to harmonize its energy statistics to the level defined in the common platform, following the guidelines and a template prepared by the ECS. Action

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¹ [http://www.energy-community.org/pls/portal/docs/36298.PDF](http://www.energy-community.org/pls/portal/docs/36298.PDF)
² UNMIK is a Contracting Party to the Energy Community. However, following an agreement between the Serbian and Kosovo* Governments reached under EU facilitation, Kosovo* is the only denomination to be used within the framework of regional cooperation.
³ This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.
⁵ Please refer to ECS web page: [http://www.energy-community.org/pls/portal/docs/1766215.PDF](http://www.energy-community.org/pls/portal/docs/1766215.PDF)
⁶ Please refer to ECS web page: [http://www.energy-community.org/pls/portal/docs/450184.PDF](http://www.energy-community.org/pls/portal/docs/450184.PDF)
plan included identification of deficiencies of existing statistical systems, necessary measures and activities and needed support in administrative, technical, financial and human resources.

Uniform approach and high level of competence in setting up a reporting, compilation and dissemination system were needed to enable individual action plans of the Contracting Parties and Observers\(^7\) to be used as a basis to design a road map on the Energy Community level.

The Consultant Energetski Institut “Hrvoje Pozar” conducted competent assessment of the status of energy statistics relevant for the implementation of the Treaty in the Energy Community, of the required measures and resources in order to streamline the efforts to harmonize energy statistics with the rules and procedures applicable for energy statistics in OECD\(^8\) and EU countries, including transmission of data to International Energy Agency (hereinafter referred to as: IEA) and EUROSTAT and publication thereof.

Based on the outcome of the study\(^9\) and envisaged road map, synergy of joint efforts was utilized during the implementation period (end 2012).

Regular communication was established with IEA and EU and efforts combined with their respective projects. Positive impact of their involvement and cooperation so far was decisive so that all Contracting Parties and Observers were able to submit their annual energy data in prescribed format in due time. The ongoing EU-funded program INOGATE with its project relating to energy statistics also provides significant synergies in its partner Countries\(^10\).

The Contracting Parties have reviewed the status of implementation of the action plans for the period 2010-2012 and identified all instances when objectives were not achieved and planned activities not conducted.

Based on these assessments, ECS in cooperation with the NCs prepared revised action plans and set of common activities on the Energy Community level in order to achieve full compliance with the acquis as planned.

Implementation of the respective action plans of Contracting Parties aiming to improve the quality of the datasets and overall progress on the Energy Community level was partly stalled in terms of conducting of adequate surveys, primarily for consumption per sector and subsector and consumption of energy from renewable energy sources.

As regards monthly reporting, one of key obstacles presumably is lack of experience, in addition to lack of dedicated staff and financial and technical resources.

Another important issue from internal market point of view is to develop unified approach to price reporting, compliant with EU directive on transparency of energy prices.

\(^7\) At the time, Moldova and Ukraine were Observers, as well as Georgia. Current Observer Armenia was not included in that program.

\(^8\) OECD stands for Organization for Economic Cooperation and Development

\(^9\) Please refer to ECS web page: [http://www.energy-community.org/pls/portal/docs/820177.PDF](http://www.energy-community.org/pls/portal/docs/820177.PDF)

\(^10\) Currently CPs Moldova, and Ukraine, Observers Armenia, Georgia and Turkey are Partner Countries to INOGATE ([http://www.inogate.org/](http://www.inogate.org/))
Objectives

The ECS is committed to coordinate the work of the Contracting Parties and, to the extent possible, of the Observers to achieve implementation of the Regulation (EC) 1999/2008 and amendments thereof and Directive 2008/92/EC and full compliance with the Treaty in terms of energy statistics.

The key objective of the project is to provide technical assistance to relevant institutions of the Beneficiaries to overcome deficiencies in their statistical systems, as identified by the Beneficiaries and agreed on the Energy Community level.

The technical assistance shall aim primarily at advising and guiding role, providing expertise in developing methodological approach, quality assurance and working procedures to the relevant institutions of Beneficiaries with the view to overcoming the gaps in data collection and building their own capacity to establish independent and coherent system of energy statistics.

To achieve this objective, ECS plans to provide technical assistance in two steps. The scope of assistance is agreed at the meeting of national coordinators for implementation of the acquis in energy statistics\(^\text{11}\) and this project is launched to cover the activities planned to commence in 2013.

Beneficiaries

ECS is a party to whom TA Provider will be legally and professionally liable for performance of tasks assigned in the contract.

The assistance will be focused on the Contracting Parties\(^\text{12}\) to the Treaty establishing the Energy Community, namely Albania, Bosnia and Herzegovina, The former Yugoslav Republic of Macedonia, Kosovo\(^*\), Moldova, Montenegro, Serbia and Ukraine, and the Observers\(^\text{13}\) Armenia and Georgia.

These Contracting Parties and Observers are Beneficiaries of the study. Each and every Beneficiary shall not need assistance for all task described in the Service Specification. The specific individual scope of services delivered to Beneficiaries is detailed in the Scope of Work.

Scope of work

The work shall cover three key areas:

Activity A – Improving annual collections:

A1. Methodology and procedures to collect and compile annual RES data;
A2. Improving data on energy consumption (focus on households and services sector);

Activity B – Monthly statistics: collection, compilation, dissemination;

Activity C – Price statistics.

To accomplish the tasks stipulated above, the TA Provider may need to define specific range of tasks for each Beneficiary depending on the assessment of the current situation and work plan that may include:

\(^{11}\) For more details please refer to ECS web page: [http://www.energy-community.org/pls/portal/docs/2014198.PDF](http://www.energy-community.org/pls/portal/docs/2014198.PDF)

\(^{12}\) Croatia is expected to become EU member state and thus in the course of 2013 it will not be the Contracting Party nor Beneficiary of this Project.

\(^{13}\) The Observers Norway and Turkey are members of OECD and their energy statistics is found compliant with the acquis on energy statistics. Therefore Norway and Turkey are not covered with the project.
Section 2. Service Specification

- Development of administrative framework and institutional arrangement,
- Development or improvement of the data collection systems, including available questionnaires and applied methodologies, process and procedures in collecting, validation, compilation and elaboration of available data,
- Establishment and/or improvement of quality assurance procedures.

In accordance with the needs of Beneficiaries, as detailed in the Work plan, the TA Provider shall analyze the finding above, including existing administrative framework, institutional arrangement, applicable methodologies and procedures and evaluate their appropriateness, particularly in terms of accuracy, burden to respondents, cost efficiency and cost effectiveness.

For assessment of the current status of energy statistics in areas targeted by Activities A (Improving annual collections), Activities B (Monthly statistics) and/or Activities C (Price statistics), the TA Provider may need to collect more information in direct communication with the competent institutions and other stakeholders in the respective Beneficiary.

The TA Provider shall propose improvement or, where lacking, develop methodologies, including questionnaires with detailed instructions for reporting units and for NSI, at all times having regard to burden to respondents, cost efficiency and cost effectiveness.

General approach

In accordance with revised action plans and identified needs of Beneficiaries, made available to the TA Provider as their respective input, technical assistance in general shall be provided in three steps:

Assessment and evaluation:
- To review and assess the legal framework for energy statistics, reporting systems and produced energy data from the sources made available to the TA Provider from ECS, Beneficiaries and other relevant available sources\(^{14}\), as well as from field missions to relevant institutions of Beneficiary where necessary, to check and verify findings from other sources (including statistic offices, ministries, agencies and/or other entity involved in monitoring and forecasting energy data);
- To analyze and evaluate current data collection systems, including available questionnaires and applied methodologies in each Beneficiary;
- To make assessment of actual capacity of the Beneficiary to establish a reporting system as required under the acquis on energy statistics and specific needs for assistance;

Assistance per Beneficiary
- To develop adequate questionnaires with detailed instructions for reporting units and for national authority for collection and compilation of energy data (hereafter referred to as: NCA);
- To provide guidelines for national statistics institutes and/or other responsible institutions to set up their energy statistical systems;

\(^{14}\) Such as relevant studies conducted by Beneficiaries, Energy Community, as well as publication of IEA, EUROSTAT and other sources of official energy statistics
- To assist and advise Beneficiaries in developing their legislative and administrative framework, where missing or insufficient, including adjustment or amendment or effective regulation, preparation of secondary legislation where missing or not sufficient, memoranda of cooperation among different stakeholders and similar;

- To assist national institutes and their experts to develop procedures and methodologies for data collection, with particular focus on techniques and procedures for quality assurance;

- To define additional tasks and activities required to overcome identified gaps for being in compliance with the EUROSTAT/IEA/UNECE reporting requirements per Beneficiary, to estimate technical, financial and human resources needed to overcome them and to set priorities for further action;

Trainings and education

Based on the identified requirements, gaps and recommendations, to design and organize a practical “hands-on” training for energy statistics officials from Beneficiaries where such gaps are identified, using their available systems, as well as reporting systems and methodologies developed by TA Provider.

The trainings shall be interactive, program-focused and designed to utilize recognized best practices, providing information and experience sharing platform best addressing the needs of Beneficiaries, including one, several or all Beneficiaries at the time, as appropriate.

Tasks and Expected Results

**Activity A - Improving Annual Data Collections**

**ACTIVITY A1: Methodology and procedures to collect and compile annual RES data**

**Task 1:** Assessment of the current status on the basis of the Beneficiary’s input including as appropriate fact finding missions to relevant NCA to define specific scope of work and time schedule.

Beneficiaries: Albania, Bosnia and Herzegovina, Montenegro, Serbia (for Moldova, Ukraine and Georgia use assessment of INOGATE TS, for Kosovo* assessment of EC project)

Time period: at latest September 2013

**Task 2:** Assistance to develop tailor-made documents for individual Beneficiary and development of common documents for all, in close cooperation with the relevant NCA;

Beneficiaries: Albania, Bosnia and Herzegovina, Moldova, Montenegro, Serbia.

Time period: August – December 2013 (with regard to specific preferred time schedule for each Beneficiary)

**Task 3:** Training in the form of peer consulting under the governance of experienced expert from NCA in an EU Member States (hereinafter referred to as: EU MS) with good record of RES statistics, as

15 It is recommended that the tasks related to fact finding and assessment thereof are conducted in a synchronized manner to cover any other area (as detailed for the Activities in area B and C) relevant for respective Beneficiary.
agreed with respective institutions of Beneficiaries, with the aim to prepare a pilot survey which should take place in the course of 2014 and conducting a pilot survey for selected Beneficiaries.

Beneficiaries: Albania, Bosnia and Herzegovina, The former Yugoslav Republic of Macedonia, Kosovo*, Moldova, Montenegro, Serbia and Ukraine, and the Observers Armenia and Georgia

Time period: August - December 2013 (with regard to specific preferred time schedule for each Beneficiary).

**Note:** Conducting of pilot survey is envisaged under this project for Albania, Kosovo*, Moldova, Montenegro and Serbia.

Time period: October 2013 – March 2014 (with regard to specific preferred time schedule for each Beneficiary)

**Deliverables:**

1. Assessment Report on the current status and recommended steps to improve annual collections on the basis of Beneficiary’s input and/or fact finding mission
2. Set of standard documents created for each Beneficiary in cooperation with its respective NCA
3. Instruction and guidelines to collect and compile comprehensive set of data required relating to energy from RES,
4. Training as appropriate

**Expected volume:** 45 man/days\(^{16}\)

**ACTIVITY A2 – Improving Data on Energy Consumption**

**Task 1.** Assessment of existing data collections, applied methodologies, questionnaires and procedures to collect and compile consumption data with focus on surveys in Households and Services Sector, for each Beneficiary on the basis of Beneficiaries’ input;

Beneficiaries: Albania, Bosnia and Herzegovina, Kosovo*, The former Yugoslav Republic of Macedonia, Montenegro, (Beneficiaries’ input: for Moldova, Ukraine and Georgia use assessment of INOGATE TS\(^{17}\))

Time period: August 2013 – March 2014 (with regard to specific preferred time schedule for each Beneficiary)

**Task 2:** Expert mission to Beneficiaries’ responsible NCA to advise in developing new or adapting existing practices in cooperation with responsible staff in NCA, recommendations of best practices to improve existing surveys, to create instructions and guidelines to organize and conduct the survey based on sampling, with examples of relevant documentations and recommendation of best practices and development of standard documents and procedures, to the extent applicable, particularly in respect of consumption of energy in households;

Beneficiaries: Albania, Bosnia and Herzegovina, The former Yugoslav Republic of Macedonia, Kosovo*, Moldova, Montenegro and Ukraine, and the Observers Armenia and Georgia.

\(^{16}\) Volume is given tentatively, indicating field work for Beneficiary-specific tasks and desk work, such as preparation for missions, reporting and design of draft standard documents, Beneficiary-specific or of general nature.

\(^{17}\) INOGATE TS stands for INOGATE Technical Secretariat.
Section 2. Service Specification

Time period: August 2013 – March 2014 (with regard to specific preferred time schedule for each Beneficiary).

Task 3. Study visits to institutions with well developed system and conducting of pilot survey to selected Beneficiaries, including testing procedures, calibration and adjustment procedure.

Beneficiaries: Albania, Bosnia and Herzegovina, The former Yugoslav Republic of Macedonia, Kosovo*, Moldova, Montenegro

Time period: October 2013 – March 2014 (with regard to specific preferred time schedule for each Beneficiary)

Deliverables:

1. Assessment Report on the current status and recommended steps to improve the quality of consumption statistics;
2. Set of standard documents created for each Beneficiary in cooperation with its respective NCA described in Task 1 and 2,
3. Generally applicable: Recommended best practice and guideline procedure for quality assurance,
4. Pilot survey for selected Beneficiaries

Expected volume: 30 man/days

ACTIVITY B – Monthly Statistics

Task 1: Assessment of available monthly collections, including legal ground to take over the task, cost effectiveness of applied procedures and quality of data collections; based primarily on Beneficiaries' input and the outcome of fact-finding field missions undertaken for the activities A1 and/or A2 (improvement of annual statistics)

Beneficiaries: Albania, Bosnia and Herzegovina, Montenegro, Serbia, (for Moldova, Ukraine and Georgia use assessment of INOGATE TS, for Kosovo* assessment of GIZ under EC funded project)

Time period: at latest October 2013, except for Bosnia and Herzegovina (to be agreed with respective institutions)

Task 2: Recommendation of the most cost-effective system for monthly statistics for each individual Beneficiary, developed in cooperation with Competent National Authorities (NCAs)

Beneficiaries: Albania, Bosnia and Herzegovina, Moldova, Montenegro, Serbia,

Time period: September 2013 – March 2014

Task 3: Development of standard documents for monthly collections, reporting format for reporting units, guidelines and procedures including validation procedures, in cooperation with NCAs

Beneficiaries: Albania, Bosnia and Herzegovina, Moldova, Montenegro, Serbia,

Task 4: Hands-on training of key staff from designated NCA responsible for monthly statistics to collect, compile and validate monthly collection, preferably for Beneficiaries of the Task 2 or 3 on-site per Beneficiary or together for experts from Beneficiaries without language barriers.

Beneficiaries: Albania, Bosnia and Herzegovina, Montenegro, Serbia;
Time period: Joint training in January 2014 (including staff from The former Yugoslav Republic of Macedonia, Kosovo*, Ukraine, Armenia and Georgia); on-site training as agreed with Beneficiaries of Tasks 2 and 3.

Deliverables:

1. Assessment Report with recommendations of necessary and necessary improvements for each Beneficiary;
2. Set of standard documents consisting of designed questionnaires for reporting units, cooperation agreement with administrative sources of data instructions and guidelines for integration of data from administrative sources;
3. Production of at least one monthly report based on documents developed by TA Provider
4. On-site Training per Beneficiary and joint training, designed in cooperation with ECS.

Expected volume: 35 man/days.

**ACTIVITY C – Price Statistics**

**Task 1:** Analysis of existing legislative, institutional and administrative framework and available capacities in key institutions;

Beneficiaries: Albania, Bosnia and Herzegovina, Montenegro, Serbia, (for Moldova, Ukraine and Georgia use assessment of INOGATE TS, for Kosovo* assessment of GIZ under EC funded project)

Time period: at latest September 2013

**Task 2:** Presentation of best practices in EU MS in the form of study visits to NCA in EU MS with well functioning price reporting system, peer consulting provided by expert effectively involved in price statistics in EU MS, consultation and experience sharing among NCAs from Energy Community CP and / or workshops;

Beneficiaries: Albania, Bosnia and Herzegovina, Kosovo*, Moldova, Montenegro, Serbia and Ukraine,

Time period: August - September 2013

**Task 3:** In cooperation with national authorities propose system for data collection, create or improve methodologies and questionnaires, procedural rules including, if necessary, amendments of current regulations, cooperation agreements etc;

Beneficiaries: Albania, Bosnia and Herzegovina, Kosovo*, Moldova, Montenegro, Serbia and Ukraine,

(in case of Moldova, Ukraine, in coordination with INOGATE TS)

Time period: September – December 2013

**Task 4:** Prepare and guide staff in NCA to conduct a pilot survey applying proposed documents and procedures, to check and validate results and to finalize standard documents (as applicable, only for Beneficiaries that still do not have gas and electricity price statistics compiled in compliance with EUROSTAT methodology).

Beneficiaries: Albania, Kosovo*, Moldova, Serbia and Ukraine, (in case of Moldova and Ukraine, in coordination with INOGATE TS)
Time period: September - December 2013, in case of Kosovo* and Moldova by March 2014.

**Deliverables:**

1. Assessment Report on the current status and recommended steps to implement the Directive;
2. Capacity building (study visits and / or field work by a dedicated experienced expert, training)
3. Standard documents for NCA and reporting units to collect and compile price statistics in accordance with the Directive;
4. Pilot survey and preliminary data on electricity and gas prices charged to industrial and residential end users in the first six-month period 2013 (as applicable, only for Beneficiaries that still do not have gas and electricity price statistics compiled in compliance with EUROSTAT methodology)

**Expected volume:** 40 man/days.

**Required input**

**Expected input from ECS**

ECS shall make available to the TA Provider:

- all documents developed, submitted or otherwise available to ECS, relevant for the Energy Community and each of the Beneficiary and particularly of relevance for implementation of the *acquis* on energy statistics in the Energy Community, including individual submissions of Beneficiaries and summaries thereof;
- official contacts in all Beneficiaries, nominated by their respective authorities and institution in each Beneficiary to whom the TA shall be provided and with whom TA Provider shall coordinate and communicate, as the case may be;
- liaison in the ECS for communication with the TA Provider and coordination with Beneficiaries, if necessary;
- general guidance and advice as to project objectives, deliverables and presentation, including format and scope of training;
- liaison with EC, primarily EUROSTAT, with INOGATE TS and /or other entity involved in providing consultancy or assistance to Beneficiary relevant for energy statistics.

**Expected input from the Beneficiaries**

- In addition to National Coordinator, making available a contact person in relevant authority for each task for communication and for organizational support to TA Provider during field mission, organizing study visit and coordination with relevant institutions and persons to achieve the purpose of the project;
- cooperation with the TA Provider during site missions and throughout the period agreed with the TA Provider for execution of its tasks;
Section 2. Service Specification

- legal documents, institutional arrangements and any established mode of cooperation, reporting requirements, working procedures, codes of conduct, metadata, manuals, guidelines and instructions, any other acts of general nature related to production of energy statistics, including statistical programs, involved institutions and any available technical assistance or consultancy;
- access to all available energy statistics and applicable procedures to obtain statistical data;
- explanations and clarifications, if necessary, and
- timely comments on the draft deliverables as requested.

Beneficiaries are expected to provide all relevant documents and communication in English.

Deliverables

The output of the technical assistance will be the deliverables as detailed in the Scope of Work.

In addition, the following reports shall be submitted to ECS:

1. **Assessment report** will include the findings under the Tasks 1 of the Activities A1, A2, B and C described in the Scope of work, including:
   - Description of reviewed Beneficiary’s inputs and outcome of site missions;
   - Identification of gaps and obstacles, required resources and their harmonization in order to identify milestones and bottlenecks on the Energy Community level;
   - Presentation of activities of Beneficiaries to implement the *acquis* in the energy statistics, time schedules and detailed work program agreed with each Beneficiary;

The TA Provider is expected to present the Assessment Report two months after signature of the contract, expectedly by end September 2013. ECS will organize communication of comments and coordination among Beneficiaries.

The Assessment Report will contain detailed description and time schedule of tasks agreed for each activity with each Beneficiary.

2. **Performance Report** will be submitted upon completion of respective activities A, B and C for each Beneficiary as elaborated in the Tasks and Expected Results in the Scope of Work above. It will include:
   - Description of the work performed, applied work procedures and methodologies;
   - Description of deliverables, description of recommended methodologies and procedures, including all standard documents, including metadata, questionnaires, guidelines and instructions, recommended example of good practice, quality assurance procedures;
   - Description of deliverables of general nature for all Beneficiaries.

National Coordinators shall verify the performance of specific tasks relevant for them. Performance Report shall be submitted for each key activity (A1, A2, B and C) upon completion of all related tasks, whereas the submission time will depend of the work schedule agreed with Beneficiaries.

In general, submission of Performance Report is expected by end April 2014.
3. **Final report** will contain:

- Assessment of actual capacity of each Beneficiary to implement the *acquis* at the beginning of the project;

- Assessment of the progress achieved, stipulating accomplishment for each tasks described in the Work Plan for each Beneficiary and summary of improvements by Beneficiaries per activity;

Together with the Report, the TA Provider shall submit all relevant documents elaborated and received in connection with the project (e.g. legal documents, statistics, reports, questionnaires, interviews etc.)

All submission of ECS and Beneficiaries made available to TA Provider for the purpose of this project and all outputs developed by TA Provider during the implementation of the Projects shall be property of the Contracting Authority and respective Beneficiary and cannot be used by TA Provider without written consent of ECS.

All reports shall be commented in their draft status and confirmed in their final version by ECS. All references to performed tasks shall be verified by respective NCs.

TA Provider will submit the Final Report one month after approval of Performance Report by ECS.

**Time schedule**

Expected duration of project will be approximately 9 months; from August 2013 to May 2014, under the condition that a contract is signed by August 2013.

Any delay in commencement of the project should be compensated time wise before completion and work schedules, including deadlines for completion in details agreed with respective National Coordinators in each Beneficiary, within the tentative timeframes detailed in this Service Specification.

The training program for representatives from several or all Beneficiaries and exact training dates shall be proposed by the TA Provider at least 45 days before the agreed training date. The training program and training dates shall be approved by ECS in coordination with the National Coordinators.

The ECS will review and approve the deliverables within 15 days after submission or give comments and suggestions to the TA Provider. TA Provider will have a 15 days period to explain his/her position and/or to make necessary changes in the report.

**TA Provider's staff and qualification**

The tasks to be performed by the TA Provider require an in-depth understanding of law and practice in energy statistics; particularly energy related statistics in EU, knowledge of and experience in the collection, compilation and analysis of the energy statistics in accordance with the *acquis* on energy statistics.

Experience in the operation of the energy sector and energy statistics in the Beneficiaries is an advantage. Although all input from Beneficiaries are expected to be provided in English, knowledge of local language(s) (either by staff of the TA Provider or by a sub-contractor) is an advantage.

The staff of TA Provider should include a project manager, who may be also a key expert, and experts for specific topics as detailed in description of specific tasks for activities A, B and C.
Section 2. Service Specification

The Project Manager is expected to provide efficient project management in limited timeframe with regard to complexity of matters, geographical scope, different levels of statistical infrastructure in Beneficiaries and institutional variety across the region. Project manager has to demonstrate not only managerial competence, but also understanding of organizational and procedural aspects of energy statistics and competence in the substance of energy statistics and price statistics, proved with at least 3 earlier projects related to energy statistics.

The Professional Staff will conduct research of available energy statistics, procedures and methodologies used by Beneficiaries, from different sources, including international statistic sources and field missions in Beneficiary. The time and duration of their field mission and deployment in the sites of respective Beneficiaries will depend on the information made available to the TA Provider by ECS, Beneficiaries and acquired from other relevant sources and the work plan agreed by TA Provider with Beneficiaries.

Key professional staff of TA Provider must possess specific competence and experience to perform the tasks assigned to them. Key Experts must have high qualification of at least university degree and at least 5 years experience in the specific matters of energy statistics in the tasks for which he/she is assigned. TA Provider is encouraged to establish a team of Key Experts with different backgrounds to match the needs of many Beneficiaries in different areas.

Professional staff will also conduct consultations with ECS and Beneficiaries on specific topics as may arise in different stages of the project.

The TA Provider is expected to propose number and duration of engagement of the professional staff per category and tasks.

Support staff may be engaged if necessary, for clerical and logistic matters, translation and similar tasks.
Section 3. Instructions to Bidders

3.1 CONTRACTING AUTHORITY
The Contracting Authority is the Energy Community Secretariat

Energy Community Secretariat
Am Hof 4, 5th floor
A-1010 Wien

3.2 CONTACT DETAILS
Within the ECS, the project manager and contact person for all submissions, clarification requests and additional information is Mrs. Milka Mumovic, with the following contact details

milka.mumovic@energy-community.org
Fax: 0043 1 535 2222 11

Any inquiries and requests concerning these bidding documents and the procedure shall be sent by email or fax in English to the ECS and will be answered without delay by email.

Inquiries and requests shall be made in due time and worded so as to not reveal the identity of the inquirer.

All answers, along with the respective queries, shall be made available on the Energy Community’s website (www.energy-community.org).

3.3 APPLICABLE LAW
According to Article 66 of the Procedural Act of the Ministerial Council of the Energy Community on Procedures for Establishment and Implementation of Budget, Auditing and Inspection, procurement shall be done in accordance with the relevant provisions of the Austrian Federal Public Procurement Law (Bundesvergabegesetz 2006, Federal Law Gazette I No. 17/2006) in its most recent version (“hereinafter “the Public Procurement Law”). The Law, which implements EU public procurement law, is available on the Internet (in German) at www.bva.gv.at.

The procedure takes place above the threshold of € 200.000.

Given the Energy Community’s legal nature as an international organization and in line with Article 5 of the Headquarters Agreement with the Republic of Austria, the present public procurement procedure is not subject to review by the Austrian authorities.
3.4. AWARD PROCEDURE

The contract will be awarded following an open procedure (§§ 25(2), 27 of the Public Procurement Law).

Following publication of the service procurement notice, interested companies are invited to download the present tender documents and to submit their tenders by regular mail (no faxes or electronic mail) by July 10, 2013 (not later than 18.00 hrs).

The risk of timely submission is with the bidders. Tenders arriving at the ECS after July 10, 2013 at 18.00 hrs will not be considered.

The tenders and all related documents shall be submitted in paper in one original and two copies by mail or courier to the Energy Community Secretariat at the address given above. Submissions shall be made in a closed and sealed envelope bearing the following readable reference: “Technical Assistance in the Project of Implementation of the Acquis on Energy Statistics” and the remark “Do not open without explicit authorisation”.

The opening of the tenders 18 will take place on July 11, 2013 at 10.00 a.m. at the premises of the ECS, Am Hof 4, A-1010 Vienna. The bidders are entitled to be present at the opening. Upon evaluation of the tenders by the ECS and the eventual elimination of tenders not fulfilling the eligibility criteria laid down by the law 19 the ECS will select the successful bid based on the predetermined award criteria. The ECS will notify the result to the bidders by electronic mails by July 19, 2013.

The contract will be awarded only to one bidder/one bidding consortium. The contract shall be concluded not later than August 29, 2013.

3.5. BIDDERS AND BIDDING CONSORTIA

Bidders may only submit one tender. If a Bidder submits or participates in more than one tender, such tender shall be disqualified. This does not exclude participation as sub-contractor in more than one tender.

Tenders may be submitted by bidding consortia. A consortium shall nominate one authorised representative in the tender and state that its members will, in case of being awarded the contract, carry out the project bearing joint liability. The tender shall clearly specify the tasks to be performed by the individual members of the consortium. One undertaking may only participate in one consortium.

However, this does not limit the participation of the same Sub-Contractor, including individual experts, to more than one proposal. One short-term professional key staff expert may participate in more than one tender.

Alternative 20 and modification 21 of the bids are not permitted.

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18 § 118(1) of the Public Procurement Law.
19 § 129 of the Public Procurement Law.
20 § 81 of the Public Procurement Law
21 § 82 of the Public Procurement Law
3.6. BINDING DECLARATIONS BY BIDDERS

By submitting a tender, the bidder declares that he/she is fully aware of the content of the present
tender documents including the service specifications, that he/she is authorized to conduct the
tendered services, that he/she offers to perform the tendered services at the conditions laid down in
the tender documents including the service specifications, and at the price offered, and that he/she will
be bound by his/her offer after the expiry of the deadline for submission of tenders until the expiry of
the deadline for contract awarding, i.e. until August 29, 2013.

By submitting a tender, the bidder further declares

a) to accept Parts I and II of the Austrian Procurement Law as the legal basis for the present
procurement procedure;

b) to not make any arrangements regarding pricing or other informal agreements with other
service providers contravening statutory provisions, conventions, or general principles of
competition law, and that he/she is aware that such a contravention results in an exclusion from
the tender procedure;

c) that there is no double funding for the same activities from any related or similar project in this
field neither to the Bidder or any of the sub-contractor. In case that the Bidder or any sub-
contractor is engaged for the same activity, it must be declared by the Bidder to the ECS and
the relevant amount subtracted from the financial offer explicitly.

d) that he/she has the economical, financial and technical ability to prepare the study and deliver
the results in accordance with these tender documents.

3.7 CONTENT AND FORMAT OF TENDERS

All documents submitted during the public procurement procedure, including the bids, the annexes,
declarations etc. as well as any communication throughout the whole procedure must be in English
only.

The bidders are required to submit a fully elaborated tender based on the present tender documents
including the service specifications. The content and format of tenders shall comply with the
stipulations of the Public Procurement Law.

The tender shall contain three sets of documents: general information and eligibility evidence, technical
proposal and financial proposal.

A set of the general information and eligibility evidence, technical and financial proposals shall be
placed in three sealed envelopes clearly marked “ORIGINAL” or “COPY” respectively. The three
envelopes shall be placed into one outer envelope and sealed.

a. General information and eligibility evidence shall contain, as a minimum,

   1. Name of the bidder, seat and address; 22 (see the attached Standard Forms for details)

22 Any change in address shall be disclosed immediately to the ECS.
2. Duly authorized contact person(s)\textsuperscript{23} together with telephone and fax number and email address; (in accordance with template in the Bidder Identity Form) 
3. Evidence for the bidder’s suitability in form of 
   \begin{itemize}
   \item Recent extract from the professional and trade registers in the country of origin not older than three months;\textsuperscript{24}
   \item Evidence for the authorization to provide the services requested in the country of origin;\textsuperscript{25}
   \item Signed declaration that the bidder (or its management and board members) have not been subject to a conviction by final judgment for any crime or offense related to professional misconduct, or any other crime or offense calling into question his/her professional eligibility;\textsuperscript{26}
   \item Signed declaration that the bidder is not subject to pending insolvency or is in the process of being wound up, or has already been wound up;\textsuperscript{27}
   \item Signed declaration that the bidder has complied with his/her obligation to contribute to social security systems and has paid taxes and other charges in accordance with the law of the country of origin.\textsuperscript{28}
   \end{itemize}

4. Declaration of the bidder assuring the completeness of his/her tender;
5. Date and legally valid signature.

b. The technical proposal shall be based on the attached Standard Forms in Section 4 and contain, as a minimum,

6. A brief description of the Bidder’s organization
7. An outline of recent experience of the Bidder and, in the case of consortia, for each partner, on assignments of a similar nature. For each assignment, the outline should indicate the names of subcontractors/professional staff who participated, duration of the assignment, contract amount, and Bidder’s involvement. Information should be provided only for those

\textsuperscript{23} The contact persons must be authorized to represent the bidder, to negotiate and to conclude the contract on his/her behalf. Authorization shall be duly evidenced, e.g. by a copy of the register or certificate of authority.
\textsuperscript{24} To the extent such registration is required by the country of origin.
\textsuperscript{25} To the extent such authorization is required by the country of origin.
\textsuperscript{26} § 68(1) No 1 and 4 of the Public Procurement Law. In case such declaration cannot be provided, the bidders are requested to present evidence explaining the circumstances.
\textsuperscript{27} § 68(1) No 2 and 3 of the Public Procurement Law. In case such declaration cannot be provided, the bidders are requested to present evidence explaining the circumstances.
\textsuperscript{28} § 68(1) No 6 of the Public Procurement Law. In case such declaration cannot be provided, the bidders are requested to present evidence explaining the circumstances.
assignments for which the Bidder was legally contracted by the client as a single undertaking or as one of the major partners. Assignments completed by individual professional staff working privately or through other consulting firms shall not be claimed as the experience of the Bidder, or that of the Bidder’s associates, but can be claimed by the professional staff themselves in their CVs.

8. A description of the approach, methodology and work plan for performing the assignment covering the following subjects: technical approach and methodology, work plan, and organization and staffing schedule. The work plan should be consistent with the work schedule, which will show in the form of a bar chart the timing proposed for each activity.

9. The list of the proposed professional staff team by area of expertise, the position that would be assigned to each staff team member, and their tasks. One professional staff member may be assigned to several tasks, but alternative professional staff shall not be proposed, and only one curriculum vitae (CV) may be submitted for each position.

10. CVs of the professional staff signed by the staff themselves and by the authorized representative of the Bidder;

11. Estimates of the staff input (professional and support staff) needed to carry out the assignment. The staff-months input should be indicated separately for home office and field activities.

c. The Financial Proposal shall be prepared using the attached standard forms and contain, as a minimum, an all-inclusive price in Euro, exclusive of VAT29, based on a detailed and commented break down for each cost position for services and deliverables necessary to fulfil the requirements of the Service Specifications, as detailed in Section 5.30 Errors in the calculation shall not lead to the exclusion of the tender.

### 3.9. CONTRACT AWARD CRITERIA

The contract will be awarded to the most technically and economically advantageous tender.31 In applying the award criteria as defined below, the Energy Community will award the contract to the tender offering the most appropriate and economic solution of the highest quality to the task as specified in the tender specifications.

The award procedure and criteria for selecting the most technically and economically advantageous tender are the following:

---

29 VAT listed separately.

30 The detailed price calculation shall include the man-hours or man-days, as detailed in the Proposal, allocated hourly or daily rates of the staff, as well as other expenses. Costs for business trips foreseen shall also indicate any daily allowances to be paid.

31 § 100 of the Public Procurement Law.
a. Procedure

An Evaluation Committee will determine the tenders not complying with the eligibility criteria and notify the bidders thereof.

It will subsequently prepare a Technical Evaluation Report containing an assessment of technical merits based on the criteria below with ranking marks.

Financial evaluation will not commence until the technical evaluation is concluded and approved by the Director of the ECS.

Only upon approval of the technical proposal, the financial proposals will be evaluated.

The Evaluation Committee will submit its Final Evaluation Report to the Director of the ECS for approval.

b. Evaluation of technical proposals

The Evaluation Committee will evaluate the technical proposals on the basis of their responsiveness to the Service Specifications, applying the criteria and point system specified below. Each proposal will be given a technical score (St). A proposal will be rejected at this stage if it does not meet important aspects of the Service Specifications, or if it fails to achieve the minimum technical score.

Criteria and point system for the evaluation of the technical proposals are:

<table>
<thead>
<tr>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) Specific experience of the TA Providers relevant to the assignment:</td>
</tr>
<tr>
<td>a) Specific assignments in energy statistics [0-10]</td>
</tr>
<tr>
<td>b) Specific assignment in the Beneficiaries [0-5]</td>
</tr>
<tr>
<td>Total points for criterion (i): [0 - 15]</td>
</tr>
</tbody>
</table>

These criteria shall give merits to bidders with experience in EU general statistics and particularly in specific areas of energy statistics, as well as to the first-hand knowledge of the region of Energy Community.

<table>
<thead>
<tr>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ii) Adequacy of the proposed methodology and work plan in responding to the Service Specification:</td>
</tr>
<tr>
<td>a) Technical approach [0-5]</td>
</tr>
<tr>
<td>b) Organization, work plan and staffing [0-10]</td>
</tr>
<tr>
<td>c) Organization of training and transfer of know-how [0-10]</td>
</tr>
<tr>
<td>Total points for criterion (ii): [0 - 25]</td>
</tr>
</tbody>
</table>

Within this criteria, special merit shall be given to the time schedule and time flexibility of the work plan, organization and staffing. For technical approach, higher merit is given for bids elaborated in more details to ensure feasibility of the approach and adaptations to the needs of Beneficiaries as identified during the assignment, also relying on peer cooperation and experience sharing among Beneficiaries.
(iii) Key professional staff qualifications and competence for the assignment:

a) Team Leader [0-15]

b) Other key staff cumulatively [0-45]

Total points for criterion (iii): [0 - 60]

The number of points to be assigned to each of the above positions shall be determined considering the following three subcriteria and relevant percentage weights:

1) General qualifications [up to 20%]

2) Specific experience and adequacy for the assignment [up to 60%]

3) Experience in region [up to 20%]

Total points for the four criteria: 100

The minimum technical score St required to pass is: **60 Points.**

c. Evaluation of financial proposals

After the technical evaluation is completed and approved, the Evaluation Committee will assess the respective financial proposals. It will correct any computational errors in financial proposals. When correcting computational errors, in case of discrepancy between a partial amount and the total amount, the partial amount will prevail. In case of discrepancy between word and figures, the words will prevail. In addition to the above corrections, activities and items described in the technical proposal but not priced, shall be assumed to be included in the total price. In case an activity or line item is quantified in the financial proposal differently from the technical proposal, no corrections are applied to the financial proposal in this respect.

In case of an approved technical proposal, for the items not included in the technical proposal, but priced in the financial proposal, it shall be assumed that technical proposal includes all priced items. All prices and costs shall be expressed in EUR.

The formula for determining the financial scores is the following:

\[ S_f = 100 \times \frac{F_m}{F} \]

in which \( S_f \) is the financial score, \( F_m \) is the lowest price and \( F \) the price of the proposal under consideration.

d. Weighing

The weights (w) given to the Technical (St) and Financial Proposals (Sf) are:

\[ w(St) = 0.8 \text{ and } w(Sf) = 0.2 \]
3.10. CONFIDENTIALITY DURING THE PROCUREMENT PROCEDURE
All commercial and business secrets as well as other non-public information and data relating to or submitted by the companies involved in the tender as well as the Contracting Authority shall be handled strictly confidential by the companies addressed and the bidders during and after the tender. Additional legal commitments remain unaffected.

3.11. COSTS INCURRED FOR BIDDING
Costs incurred by the undertakings notified by the ECS and by bidders in the course of the present procurement procedure, including costs related to preparatory work, documentation and certificates, translations, participation in negotiations etc. will not be reimbursed.
3.12. CONTRACTUAL TERMS AND CONDITIONS

The contract to be concluded with the TA Provider will be governed by the following contractual terms:

**Subject-matter**

The TA Provider provides the ECS consulting services in the form and content as described in the Service Specifications.

The service specifications, including the tasks, deliverables and the timeframe set out therein shall form integral parts of this contract.

The all-inclusive price for the final study is € .... (excl. VAT).

**Quality of services**

The TA Provider undertakes to provide the services required on the highest level of professionalism, relying only on staff possessing the qualification and experience necessary to fulfil the objectives of the Contract.

**Representation**

The Energy Community Secretariat shall be represented solely by the Director of the Secretariat or a person to be nominated by him in writing in all matters related to the Contract.

The TA Provider shall be represented by .........., or persons to be nominated by ..... in writing, in all matters related to the Contract.

**Place of delivery**

Place of delivery is the seat of the Energy Community Secretariat, Am Hof 4, 5th floor, 1010 Vienna, Austria, unless otherwise agreed by the parties in writing. Upon prior information of the TA Provider by the ECS, meetings and presentations may take place at another location as determined by the ECS.

**Language regime**

The deliverables as well as all communication – both in writing and orally - shall be in English only.

**Information requirements**

The TA Provider will report to the ECS periodically on the status of work and on all developments relevant for the accomplishment of the project, and will coordinate the development of the work with the ECS.

The ECS may request the TA Provider to report on the performance of the Contract at any time. The TA Provider shall comply with such request without delay.

The TA Provider shall inform the ECS immediately and on his own initiative of any problems occurring in connection with the performance of the Contract.

Any reporting or information mentioned in this provision shall be at the sole cost of the TA Provider.

**Guidance by the ECS**
The TA Provider shall perform his tasks under the operational guidance of the ECS throughout the whole duration of the contract.

**Staff of the TA Provider**

The TA Provider shall inform the ECS of any change in staff assigned to the project. Staff not satisfying the professional standards necessary for the execution of the tasks assigned to him/her with a view to the provision of the services as agreed shall be replaced. The TA Provider shall replace staff without delay at the reasoned request of the ECS. The TA Provider shall be responsible for any delay in the implementation of the contract due to replacement of staff in accordance with this provision.

**Labour law standards**

The TA Provider shall comply with internationally recognized labour law standards as defined in the framework of the ILO, in particular Conventions No. 29, 87, 94, 95, 98, 100, 105, 111, 138, 182 and 183.

**Further responsibilities of the TA Provider**

The TA Provider shall be solely responsible for the compliance with all legal obligations required for the performance of the services under the Contract, such as the possession and the acquisition of licenses and authorizations, the existence of insurances, the grant of visas, etc.

**General terms and conditions**

General terms and conditions of the TA Provider shall not apply to the Contract.

**Subcontracting**

Subcontracting of the services to be provided in whole or in parts shall be permitted only upon prior written consent by the ECS.

**Payment**

Payment of the price agreed shall be made in three stages, namely 20% within two weeks following the acceptance by the ECS of the Assessment Report, 60% within two weeks following the acceptance of the Performance Report, and 20% following the acceptance of the Final Report.

Payment shall be made through bank transfers to a bank account as indicated by the TA Provider. Payments require an invoice issued by the TA Provider.

The TA Provider shall not be authorized to incur any additional expenses to be reimbursed by the ECS without the latter’s prior written consent. When requesting such reimbursement, the TA Provider shall provide the ECS with a justification note and submit sufficient evidence after the expenses have been incurred.

**Acceptance requirement and delay**

All deliverables shall require acceptance by the Director of the ECS in accordance with the Service Specifications.

In case the TA Provider does not comply with the accepted timeframe, the ECS may unilaterally reduce the overall price by 10% for each beginning week of delay.
Ownership and intellectual property rights
Ownership rights and copyright or other intellectual property rights in all material produced or purchased by the TA Provider in the performance of the Contract shall rest with ECS alone.

The TA Provider shall, on their own motion, make available to ECS all data collected or compiled in relation with the performance of the contract, such as statistical information, questionnaires, reports and other documents submitted to the TA Provider etc.

The TA Provider shall ensure that the deliverables under the Contract are free from any rights of or obligations towards third parties or otherwise be liable for compensation.

The TA Provider irrevocably assigns to ECS all right and title and interest in and to all inventions and discoveries and all other work product of any nature, whether or not copyrightable, made, conceived, authored or acquired by the TA Provider in the course of performing the services subject to the Contract, and all tangible embodiments of the foregoing, all patents, copyrights, trademarks, trade secrets and all other intellectual property rights and all ownership rights therein.

ECS may use, publish, assign, transfer or make available such rights as it sees fit without geographical or other limitations.

Liability and termination
The TA Provider shall be liable for any breaching of or defaulting in the performance of this contract, including but not limited to cases of non-performance, late performance or faulty performance. The TA Provider shall be liable for any action or forbearance of its representatives, employees, subcontractors or other persons entrusted with tasks in performance of the Contract or at the occasion of performance of the contract.

ECS shall be liable for any breaching of or defaulting in the performance of this Contract only in case of gross negligence or intention.

If a contractual party fails to remedy the breach or default which it is liable for within five working days, the other contractual party shall have the right to terminate the contract immediately after having notified the former contractual party in writing of the breach or default. This right shall be without prejudice to the right to compensation and to recover payments already made.

Notwithstanding the above, ECS may terminate the contract at any time upon 14 days' written notice. In the event of such termination the TA Provider shall be paid for any portion of the services that have been performed prior to the termination.

The TA Provider agrees at its sole expense to defend the ECS against and to indemnify ECS from any claims by a third party arising from the TA Providers’ performance of services. In case of damages sustained, the TA Provider shall be liable to compensation.

Assignment of claims
No contractual party is entitled to assign any claims arising from the Contract to a third party without a prior written consent of the other contractual party.

Offset
The ECS may offset its payment obligations towards the TA Provider against any claims it might have against the TA Provider.
Confidentiality
The TA Provider shall not disclose to third parties without prior written consent any information on the project in whole or in parts. The TA Provider shall not disclose to third parties without prior written consent any information of non-public nature they obtained from ECS or came across in the course of performing the services under the contract.

The confidentiality obligation shall continue to apply after the completion of the contract.
Additional legal commitments regarding data protection and secrecy remain unaffected.

Use of the name of the Energy Community and its institutions
The TA Provider shall not use the name of the Energy Community or Energy Community Secretariat in any commercial advertisement or other promotional material, unless permitted by ECS in writing.

Applicable law and jurisdiction
The Contract shall be governed by its terms and conditions and, subsidiarily, by generally recognized principles of European civil law.

Any disputes under this contract shall be settled exclusively by a tribunal composed of a single arbitrator appointed by the Secretary General of the Permanent Court of Arbitration in the Hague, in accordance with the relevant Optional Rules for Arbitration involving international organizations and private parties.

Severability
An invalid term or provision in the Contract shall not affect the validity of the remaining Contract. If any term or provision is deemed invalid by the arbitrator, the parties agree to renegotiate such provision in good faith.

Modification of the Contract
This Contract, including its annex as an integral part of the Contract, constitutes the sole agreement of the parties. The Contract may not be amended other than in writing and duly signed by both parties.
## ANNEX 1 - Key Data Sheet

<table>
<thead>
<tr>
<th>Name of the service:</th>
<th>Technical Assistance to Implementation of the Energy Statistics <em>Acquis</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracting entity:</td>
<td>Energy Community Secretariat</td>
</tr>
<tr>
<td></td>
<td>Am Hof 4, 5th floor,</td>
</tr>
<tr>
<td></td>
<td>A-1010 Vienna, Austria</td>
</tr>
<tr>
<td>Type of procedure</td>
<td>Open procedure</td>
</tr>
<tr>
<td>Deadline for submission of</td>
<td>July 10, 2013 at 18:00 hrs CET</td>
</tr>
<tr>
<td>tenders:</td>
<td></td>
</tr>
<tr>
<td>Clarification</td>
<td>Clarifications may be requested not later than 7 days before the</td>
</tr>
<tr>
<td></td>
<td>submission date</td>
</tr>
<tr>
<td></td>
<td>By registered mail: to the Contracting entity address</td>
</tr>
<tr>
<td></td>
<td>By email: <a href="mailto:milka.mumovic@energy-community.org">milka.mumovic@energy-community.org</a></td>
</tr>
<tr>
<td>Address for submission of</td>
<td>Energy Community Secretariat, Am Hof 4, 5th floor,</td>
</tr>
<tr>
<td>tenders</td>
<td>A-1010 Vienna, Austria</td>
</tr>
<tr>
<td>Applicable law</td>
<td>Austrian Federal Public Procurement Law (Bundesvergabegesetz 2006,</td>
</tr>
<tr>
<td>Bid validity</td>
<td>Until August 29, 2013</td>
</tr>
<tr>
<td>Contract award criteria</td>
<td>The contract is awarded to the most technically and economically</td>
</tr>
<tr>
<td></td>
<td>advantageous tender</td>
</tr>
<tr>
<td>Language of the bid</td>
<td>English</td>
</tr>
<tr>
<td></td>
<td>All documents must be provided in English, including duly signed and</td>
</tr>
<tr>
<td></td>
<td>verified translation of eligibility evidence, if produced in a</td>
</tr>
<tr>
<td></td>
<td>language other than English</td>
</tr>
<tr>
<td>Training as a specific</td>
<td>Part of the TA Providers’ assignment will be to design training</td>
</tr>
<tr>
<td>component of this assignment:</td>
<td>programs and transfer of know –how</td>
</tr>
<tr>
<td>Currency</td>
<td>The single currency for price conversions is: EUR</td>
</tr>
<tr>
<td>Latest date for contract</td>
<td>August 29, 2013</td>
</tr>
<tr>
<td>awarding:</td>
<td></td>
</tr>
<tr>
<td>Expected date for</td>
<td>August 2013</td>
</tr>
<tr>
<td>commencement of service:</td>
<td></td>
</tr>
</tbody>
</table>
## ANNEX 2 - Bidder Identity Form

<table>
<thead>
<tr>
<th>Project Coordinator:</th>
<th>Energy Community Secretariat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject of Tender:</td>
<td>Selection of Consultant for a Technical Assistance in the project: Implementation of the energy statistics acquis</td>
</tr>
</tbody>
</table>

### Form 2.1 Identity form for a Bidder or Consortia Leader

<table>
<thead>
<tr>
<th>Bidder:</th>
<th>[name of undertaking or consortia]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration</td>
<td>[Place and country and date of registration]</td>
</tr>
<tr>
<td>Address:</td>
<td>[Information for single undertaking or for consortia leader]</td>
</tr>
<tr>
<td>Commercial Registry and VAT Number:</td>
<td>[Information for single undertaking or for consortia leader]</td>
</tr>
<tr>
<td>Contact person(s)</td>
<td>[Indicate name and contact details for officials authorized for communication, in addition to authorized representative]</td>
</tr>
<tr>
<td>Telephone and Fax Number and E-mail address:</td>
<td></td>
</tr>
<tr>
<td>Legal representative</td>
<td>[Title, name and position of legal representative of an undertaking or of consortia leader]</td>
</tr>
</tbody>
</table>

I, the undersigned, certify that information given in this Tender is correct and that Tender is valid.

Signature(s) in full and initial
Form 2.2. Identity Form for Consortia Member or Sub-contractors

Name of a member of consortia or sub-contractors\(^{32}\)  
[Information for each firm within consortia or/and for sub-contractors or title and name of natural person]

Address:

Telephone and Fax Number and E-mail Address:

Legal representative  
[Only for legal persons: title, name and position of the legal representative of legal person]

I, the undersigned, certify that information given in this Tender, related to me or firm represented by me, is correct and that Tender is valid.

Signature(s) in full and initial

Attachments:

[list all attachment required as eligibility evidence in the Section 3.7(a) of Section 3. Instructions to the bidder]

1. The authorization for person signing the Form to represent the bidder, to negotiate and to conclude the contract on his/her behalf. Authorization shall be duly evidenced, e.g. by a copy of the register or certificate of authority;

2. Recent extract from the professional and trade registers in the country of origin not older than three months;

3. Evidence for the authorization to provide the services requested in the country of origin, as required by the country of origin;

4. Signed declaration that the bidder (or its management and board members) have not been subject to a conviction by final judgment for any crime or offense related to professional misconduct, or any other crime or offense calling into question his/her professional eligibility;

5. Signed declaration that the bidder is not subject to pending insolvency or is in the process of being wound up, or has already been wound up;

\(^{32}\) Declaration must be made by each firm listed in the Team Composition and/or natural person who is not staff of the listed firm(s)
6. Signed declaration that the bidder has complied with his/her obligation to contribute to social security systems and has paid taxes and other charges in accordance with the law of the country of origin;

Note: In case that any of declarations listed above cannot be provided, the bidders are requested to present evidence explaining the circumstances.

7. Declaration of the bidder assuring the completeness of his/her tender.
Section 4. Technical Proposal

Form 4.1: Bidders Organization and Experience

A – Bidder’s Organization

[Provide here a brief (two pages) description of the background and organization of your firm/entity and each associate for this assignment.]

B – Bidder’s Experience

[Using the format below, provide information on each assignment for which your firm, and each associate for this assignment, was legally contracted either individually as a corporate entity or as one of the major companies within an association, for carrying out services similar to the ones requested under this assignment. Use up to 20 pages and refer only to assignments in last 5 years.]

<table>
<thead>
<tr>
<th>Assignment name:</th>
<th>Approx. value of the contract (in current US$ or Euro):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country:</td>
<td>Duration of assignment (months):</td>
</tr>
<tr>
<td>Location within country:</td>
<td>Total N\textdegree of staff-months of the assignment:</td>
</tr>
</tbody>
</table>
### Section 4. Technical Proposal

<table>
<thead>
<tr>
<th>Address:</th>
<th>Approx. value of the services provided by your firm under the contract (in current US$ or Euro):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start date (month/year):</td>
<td>N^2 of professional staff-months provided by associated Consultants:</td>
</tr>
<tr>
<td>Completion date (month/year):</td>
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</tr>
<tr>
<td>Name of associated Consultants, if any:</td>
<td>Name of senior professional staff of your firm involved and functions performed (indicate most significant profiles such as Project Director/Coordinator, Team Leader):</td>
</tr>
<tr>
<td>Narrative description of Project:</td>
<td></td>
</tr>
<tr>
<td>Description of actual services provided by your staff within the assignment:</td>
<td></td>
</tr>
</tbody>
</table>

**Firm’s Name:** ________________________________
Form 4.2: Description of Approach, Work Plan and Organization for Performing the Assignment

[Technical approach, work plan, organization, particularly organization of training activities and transfer of know-how are key components of the Technical Proposal. You are suggested to present your Technical Proposal (in no more than 30 pages, inclusive of charts and diagrams) divided into the following three chapters:

a) Technical Approach,

b) Organization, Work Plan and Staffing, and

c) Organization of Training and Transfer of Know-how.

a) Technical Approach. In this chapter you should explain your understanding of the objectives of the assignment, technical approach to the services to assist Beneficiaries to carrying out the activities and obtaining the expected output, and the degree of detail of such output. You should highlight the problems being addressed and their importance, and explain the technical approach you would adopt to address them. You should also explain the strategy you propose to adopt and highlight the compatibility of your approach with specific circumstances in the Beneficiaries, particularly the ultimate need to remain flexible to adjust to actual and specific needs and to maintain high quality of service.

b) Work Plan, Organization and Staffing. In this chapter you should propose the structure and composition of your team. You should list the main disciplines of the assignment, the key expert responsible, and proposed technical and support staff and propose the main activities of the assignment, their content and duration, phasing and interrelations, milestones (including reporting and approvals by the ECS). The proposed work plan should be consistent with the technical approach, showing understanding of the service specifications and ability to translate them into a feasible working plan. A list of the final document (such as instructions, guidelines, methodologies, questionnaires etc, required in specific tasks) to be delivered as final output, should be included here. The work plan should be consistent with the Work Schedule of Form 4.6.

c) Organization of Training and Transfer of Know-how. Key feature of the approach should be the flexibility. You should propose training plan that can be modified according to the development during the assignment, paying special attention to organize hands-on training, in-house training or workshops, in the most effective way.]
### Professional Staff

<table>
<thead>
<tr>
<th>Name of Staff</th>
<th>Firm</th>
<th>Area of Expertise</th>
<th>Position Assigned</th>
<th>Task Assigned</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>
Form 4.4: Curriculum Vitae (CV) for Proposed Professional Staff

1. **Proposed Position** [only one candidate shall be nominated for each position]:
   
2. **Name of Firm** [Insert name of firm proposing the staff]:
   
3. **Name of Staff** [Insert full name]:
   
4. **Date of Birth**: 
   **Nationality**:
   
5. **Education** [Indicate college/university and other specialized education of staff member, giving names of institutions, degrees obtained, and dates of obtainment]:
   
6. **Membership of Professional Associations**:
   
7. **Other Training** [Indicate significant training since degrees under 5 - Education were obtained]:
   
8. **Countries of Work Experience**: [List countries where staff has worked in the last ten years]:
9. **Languages** [For each language indicate proficiency: good, fair, or poor in speaking, reading, and writing. Statement for English is mandatory, and indication of any knowledge of local languages in CPs]:

10. **Employment Record** [Starting with present position, list in reverse order employment held by staff member since obtaining required qualification in 5, giving for each employment (see format here below): dates of employment, name of employing organization, positions held.]:

   From [Year]: _____ To [Year]: ______

   Employer: __________________________

   Positions held: ______________________

11. [List all tasks to be performed under this assignment]

12. **Work Undertaken that Best Illustrates Capability to Handle the Tasks Assigned**

   [Among the assignments in which the staff has been involved, indicate the following information for those assignments that best illustrate staff capability to handle the tasks listed under point 11.]

   Name of assignment or project: __________________________

   Year: __________________________

   Location: __________________________

   Client / employer: __________________________

   Main project features: __________________________

   Positions held: __________________________

   Activities performed: __________________________
13. Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any wilful misstatement described herein may lead to my disqualification or dismissal, if engaged.

__________________________________________ Date: ___________

[Signature of staff member] Day/Month/Year

Full name of authorized representative: ___

__________________________________________ Date: ___________

[Signature of the authorized representative] Day/Month/Year
# Form 4.5: Staff Schedule

<table>
<thead>
<tr>
<th>Nº</th>
<th>Name of Staff</th>
<th>Staff input in days per week of assignment (in the form of a bar chart)</th>
<th>Total staff-days input</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1 2 3 4 5 6 7 8 9 10 11 n</td>
<td>Home</td>
</tr>
<tr>
<td>Professional (key staff)</td>
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<td></td>
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<tr>
<td>1</td>
<td>[Home] 4</td>
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<td>[Field]</td>
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</tbody>
</table>

Subtotal key staff

<table>
<thead>
<tr>
<th>Support staff</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>[Home]</td>
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</table>

| Total |  |  |  |  |  |
|-------|  |  |  |  |  |

37
1 Staff schedule form is tentative and Bidder may adjust it to reflect the milestones in his work schedule.

2 For Professional Staff the input should be indicated individually; for Support Staff it should be indicated by category (e.g.: draftsmen, clerical staff, etc.).

2 Weeks are counted from the start of the assignment. For each staff indicate separately staff input for home and field work.

3 Field work means work carried out at a place other than the TA Provider's home office.

4 Insert the number of working days in each week of assignment, bearing in mind days and staff with full time input and with part time input, rounding to minimum half-days in decimal numbers.
### Form 4.6: Work Schedule

<table>
<thead>
<tr>
<th>N°</th>
<th>Activity</th>
<th>Activities</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
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<th>12</th>
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</thead>
<tbody>
<tr>
<td>A1</td>
<td>Annual RES data collection</td>
<td>T1</td>
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<td>(Add new lines for each sub-task)</td>
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<td>A2</td>
<td>Improving data on energy consumption</td>
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<td>Monthly statistics</td>
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<td>C</td>
<td>Price statistics</td>
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<td>Reports</td>
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</tbody>
</table>
1. Indicate as a minimum all main activities A1, A2, B and C and all respective tasks of the assignment. Specify particularly tasks including delivery of reports and other benchmarks such as ECS approvals. For phased assignments indicate activities, delivery of reports, and benchmarks separately for each phase.

2. Weeks shall be numbered starting from the referent date of contract signature, counting from Monday of that week as 1st week. Duration of activities in man/ days shall be indicated per week.
Section 5. Financial Proposal - Submission Form

[Location, Date]

To: ENERGY COMMUNITY SECRETARIAT

1010 VIENNA, Am Hof 4, 5th floor

AUSTRIA

Dear Sirs:

We, the undersigned, offer to provide the consulting services for [Insert title of assignment] in accordance with your Invitation for Proposal dated [Insert Date] and our Technical Proposal.

Our attached Financial Proposal is for the sum of

[Insert amount(s) ¹]

Insert amount(s) in words

This amount is exclusive of the local taxes, which shall be added to the above amount.

Our Financial Proposal shall be binding upon us up to expiration of the validity period of the proposal, i.e. until 5 August 2013.

Authorized Signature [In full and initials]: ________________________________

Name and Title of Signatory: ____________________________________________

Name of Firm: _________________________________________________________

Address: __________________________________________________________________________

¹ Amounts must coincide with the amounts indicated under Total Cost of Financial proposal in Form 5.1. and with the sum of amounts indicated in Form 5.2. and 5.3. bel
## Form 5.1: Summary of Costs

<table>
<thead>
<tr>
<th>Costs per activities¹</th>
<th>Costs</th>
<th></th>
<th></th>
<th></th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff Remunerations</td>
<td>Other allowances²</td>
<td>Transportation costs</td>
<td>Other Reimbursable expenses</td>
<td></td>
</tr>
<tr>
<td>Activity</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Subtotal of costs for field work and desk work assignments</td>
<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Subtotal of costs related to study visits and training</td>
<td></td>
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<tr>
<td><strong>Total Costs³</strong></td>
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</tbody>
</table>

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1 Activities will be listed as presented in the Form 4.6. of the Technical Proposal.

2 Allowances include per diem payable to staff members and all amounts payable to subcontracted workforce.

3 Indicate the total costs to be paid by the ECS within the total price. Such total costs must coincide with the sum of the relevant Subtotals indicated in all Forms provided with the Proposal.
Form 5.2: Breakdown of Costs by Activity

<table>
<thead>
<tr>
<th>Group of Activities (Phase):</th>
<th>Description:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Cost component</th>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Calculations</td>
</tr>
<tr>
<td></td>
<td>In EUR</td>
</tr>
<tr>
<td>Remuneration</td>
<td></td>
</tr>
<tr>
<td>Other Allowances</td>
<td></td>
</tr>
<tr>
<td>Transportation Costs</td>
<td></td>
</tr>
<tr>
<td>Other Reimbursable Expenses</td>
<td></td>
</tr>
<tr>
<td>Subtotals</td>
<td></td>
</tr>
</tbody>
</table>

1 Form 5.2 shall be filled per each activity and for the whole assignment. For each currency, the sum of the relevant Subtotals of all listed activities must coincide with the Total Costs of Financial Proposal indicated in Submission form with subtotals for preparation of reports and for training.

2 Names of activities (phase) should be the same as, or correspond to the ones indicated in the second column of Form 4.6.

3 Short description of the activities whose cost breakdown is provided in this Form.

4 For calculation of separate payments in currencies other than EUR, or to calculate sum based on unit prices, to correspond to information given in the Form 5.4

5 Remuneration and Reimbursable Expenses must respectively coincide with relevant amounts in the forms 5.3 and 5.4 and with Total Costs in submission Form.
## Form 5.3: Breakdown of Remuneration

(This Form shall only be used to establish payments to the TA Provider for possible additional services requested by the ECS)

<table>
<thead>
<tr>
<th>Name(^2)</th>
<th>Position(^3)</th>
<th>Staff/Day Rate(^4)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Key Staff</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>[Home]</td>
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<td></td>
</tr>
<tr>
<td><strong>Support Staff</strong></td>
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<td></td>
<td>[Home]</td>
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</tr>
</tbody>
</table>

1. Form 5.3 shall be filled in for the same Key and Support Staff listed in Form 4.6.
2. Key Staff should be indicated individually; Support Staff should be indicated per category (e.g.: draftsmen, clerical staff).
3. Positions of the Key Staff shall coincide with the ones indicated in Form 4.3.
4. Indicate separately staff-day rate and currency for home and field work.
## Form 5.4: Breakdown of Reimbursable Expenses

(This Form shall only be used to establish payments to the TA Provider for possible additional services requested by the ECS)

<table>
<thead>
<tr>
<th>No</th>
<th>Description</th>
<th>Unit</th>
<th>Unit Cost²</th>
<th>Total cost in EUR</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Per diem allowances</td>
<td>Day</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>International flights³</td>
<td>Trip</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Miscellaneous travel expenses</td>
<td>Trip</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Communication costs</td>
<td>Lump sum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Drafting, reproduction of reports</td>
<td>Lump sum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Equipment, instruments, materials, supplies, etc.</td>
<td>Lump sum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Subcontracts</td>
<td>Lump sum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Local transportation costs</td>
<td>Lump sum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Office rent, clerical assistance</td>
<td>Lump sum</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Training⁴</td>
<td>Lump sum</td>
<td></td>
<td></td>
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<tr>
<td>11</td>
<td>Other (specify)⁵</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>TOTAL</td>
<td></td>
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</tbody>
</table>

1. Delete items that are not applicable or break down some items or add other items, as appropriate.
2. Indicate unit cost and currency.
3. Indicate route of flights
4. Costs of trainings, including study visits may be broken down if appropriate. It must correspond with the amounts in the Form 5.5.
5. Add new lines for each type of costs.
Form 5.5: Breakdown of Costs of Training

(This Form shall only be used to establish final scope of work and associated cost for the training organized under this project and/or to establish payments for possible additional services requested by the ECS)

<table>
<thead>
<tr>
<th>N°</th>
<th>Description</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total cost in EUR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Board and lodging for participants</td>
<td>Participants /day</td>
<td></td>
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<td></td>
<td>Participants -Transportation costs (flights)</td>
<td>Trip</td>
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<tr>
<td></td>
<td>Miscellaneous travel expenses</td>
<td>Trip</td>
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<tr>
<td></td>
<td>Communication and data collection for training</td>
<td>Lump sum</td>
<td></td>
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<tr>
<td></td>
<td>Equipment, instruments, materials, supplies, etc.</td>
<td>Lump sum</td>
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<td>Clerical assistance, catering etc</td>
<td>Lump sum</td>
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<tr>
<td></td>
<td>Other</td>
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<td></td>
<td>Subtotal</td>
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</tbody>
</table>

1. Delete items that are not applicable or break down some items or add other items, as appropriate.
2. Indicate unit cost and currency.
3. Indicate route of flights, if necessary add lines for different unit costs/ currencies.
4. Attach list of applied exchange rates, if appropriate.